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FCC MAIL SECTION

Federal Communications Commission

DA 97-152

JAN 29 3 15 PM '97

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

DISPATCHED BY

In the Matter of	)	
	)	
Access Charge Reform	)	CC Docket No. 96-262
	)	
Price Cap Performance Review for Local Exchange Carriers	)	CC Docket No. 94-1 ✓
	)	
Transport Rate Structure and Pricing	)	CC Docket No. 91-213
	)	
Usage of the Public Switched Network by Information Service and Internet Access Providers	)	CC Docket No. 96-263
	)	
	)	

**ORDER**

Adopted: January 23, 1997;

Released: January 24, 1997

By the Chief, Common Carrier Bureau:

1. On December 24, 1996, the Commission commenced a proceeding to reform its system of interstate access charges to make that system compatible with the pro-competitive, deregulatory framework established by the Telecommunications Act of 1996 and to examine issues raised by information services and Internet usage.<sup>1</sup> Pursuant to applicable rules set forth in Sections 1.399 and 1.411 *et seq.* of the Commission's rules,<sup>2</sup> the Commission established separate filing deadlines and procedures with which interested parties must comply in order to file comments and replies for the *Access Reform NPRM* and the *Information*

<sup>1</sup> Access Charge Reform, Price Cap Performance Review, Transport Rate Structure and Pricing, Usage of the Public Switched Network by Information Service and Internet Access Providers, CC Docket Nos. 96-262, 94-1, 91-213, 96-263, Notice of Proposed Rulemaking, Third Report and Order, and Notice of Inquiry, FCC 96-488 (released Dec. 24, 1996) (*Access Reform NPRM and Information Service NOI*).

<sup>2</sup> 47 C.F.R. §§ 1.399 and 1.411 *et seq.*

*Service NOI*.<sup>3</sup> The Commission determined that interested parties may file comments in response to the *Information Service NOI* no later than February 21, 1997 and replies no later than March 24, 1997. The Media Access Project (MAP) and the Center for Democracy and Technology (CDT) filed a request for an extension of time to file comments and reply comments in response to the *Information Service NOI*. For the reasons discussed below, we grant these requests, in part, and deny them otherwise.

2. On January 17, 1997, MAP and CDT filed a request to extend by two months the deadlines for filing comments and replies in response to the *Information Service NOI*.<sup>4</sup> MAP and CDT assert that good cause exists to grant an extension of the deadline by which parties must file comments and replies because the *Information Service NOI* raises highly complex issues, many of which are matters of first impression.<sup>5</sup> MAP and CDT contend that parties require additional time to work with public sector organizations, gather information, and consult with technical experts and economists.<sup>6</sup> MAP and CDT further argue that interested parties with a significant stake in the outcome of this proceeding are already devoting substantial resources to related matters of comparable importance and are, therefore, unable to allocate sufficient resources to the preparation of their submissions in response to the *Information Service NOI*.<sup>7</sup> Finally, MAP and CDT argue assert that, because the questions asked in the *Information Service NOI* are interrelated with the Commission's *Access Reform NPRM*, the Commission should defer the *Information Service NOI* filing deadlines to ensure that interested parties will have a better opportunity to examine the comments filed in response to the *Access Reform NPRM* and analyze their effect on the questions presented in the *Information Service NOI*.<sup>8</sup> MAP and CDT also note that the Commission is not subject to any statutory deadline for completion of the *Information Service NPRM* and argue that an extension of the filing deadlines furthers the public interest because it will result in full and

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<sup>3</sup> On January 22, 1997, the Common Carrier Bureau extended the filing deadlines for submission of comments and replies in response to the *Access Reform NPRM*. See *Access Charge Reform*, CC Docket Nos. 96-262, 94-1, 91-213, 96-263, Order, DA 97-146 (released on January 22, 1997). Interested parties must file comments in response to the *Access Reform NPRM* no later than January 29, 1997 and replies no later than February 14, 1997.

<sup>4</sup> Request for Extension of Time to File Notice of Inquiry Comments and Reply Comments, CC Docket Nos. 96-262, 94-1, 91-213, 96-263, filed on January 17, 1997 (*Request for Extension*).

<sup>5</sup> *Request for Extension* at 1-2.

<sup>6</sup> *Request for Extension* at 2.

<sup>7</sup> *Request for Extension* at 2.

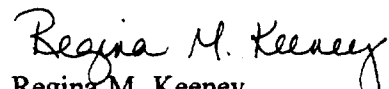
<sup>8</sup> *Request for Extension* at 3.

informed participation by all parties.<sup>9</sup>

3. It is the policy of the Commission that extensions of time are not routinely granted.<sup>10</sup> In light of the complex and important issues presented in this proceeding, and to allow parties to submit comments that will result in a more fully-developed record, however, the Common Carrier Bureau will extend the deadlines for submission of comments and replies in response to the *Information Service NOI* by thirty days. Interested parties must therefore file comments with the Commission no later than March 24, 1997 and replies no later than April 23, 1997.

4. Accordingly, IT IS ORDERED, pursuant to Sections 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(j) and 155(c), and the authority delegated thereunder pursuant to Sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that the motions filed by Media Access Project and Center for Democracy and Technology for an extension of time are GRANTED to the extent indicated herein and are DENIED in all other respects.

FEDERAL COMMUNICATIONS COMMISSION

  
Regina M. Keeney  
Chief, Common Carrier Bureau

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<sup>9</sup> *Request for Extension* at 3.

<sup>10</sup> See 47 C.F.R. § 1.46(a).